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MEMORANDUM FOR: See Distribution

FROM : [REDACTED]
Chief, Legislation Division, OLC

SUBJECT : Proposed Executive Order on "Occupational
Safety and Health Programs for Federal
Employees"

1. We have received the attached proposed Executive Order from the Office of Management and Budget for comment by 19 April 1979. The purpose of this new Order is to reduce the number of job-related accidents and illnesses among Federal workers, and it would apply to all agencies of the Executive Branch of the government.

2. Several provisions appear to present problems in their application to the operations of our Agency. Section 2(3), for example, would require specific budgetary identification of an agency's occupational safety and health program. The Order would also require a separate item in all budget presentations to OMB indicating resources to be devoted to the Safety and Health program. Section 3 of the proposed Order gives the Secretary of Labor the duty to prescribe recordkeeping and reporting requirements, to evaluate agency programs, and to submit reports to the President. Most importantly, Section 4 of the proposed Order would give the Secretary of Labor authority to enter and inspect any Federal workplace without advance notice and to prescribe rules and regulations to carry out his responsibilities. *1960*

3. The proposed Executive Order would supersede existing Executive Order 11807. Comments on how the proposed Order would affect the Agency's present procedures and relationship with the Labor Department in connection with Federal Occupational Safety and Health regulations would be appreciated. Please respond by 12 April 1979 to [REDACTED] of my staff.

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Attachment

See distribution on next page.

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